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2/15/23 11:28 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	Case No. 22-10434-GLT
	:	
KEITH A. PIERCE,	:	Chapter 13
	:	
Debtor.	:	Related to Dkt. Nos. 62, 64, 69, 70
	:	

ORDER OF COURT

This matter came before the Court upon consideration of the *Objection to Claim of PNC Bank at Claim No. 6* [Dkt. No. 62], the *Objection to Claim of PNC Bank at Claim No. 8* [Dkt. No. 64], and the responses thereto. It is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. On or before **February 22, 2023**, PNC Bank shall provide a compilation of all communications it intends to rely upon to establish that the Debtor legally acknowledged the debt owed to PNC so as to toll the applicable statute of limitations as to Claim No. 6.
2. Within seven (7) days of the submission of the documents described in ¶ 1 the Debtor shall either: (a) acknowledge and confirm the authenticity of the documents and stipulate to their admission as evidence in this contested matter, or (b) to the extent the Debtor objects to the authenticity or admission of any documents, he shall state the basis of his objection in writing, submit it to PNC Bank, and thereafter the parties shall meet and confer in an effort to resolve them.
3. All documents submitted pursuant to ¶ 1 which are not subject to a written objection shall be deemed admitted in these proceedings without further Court order. In the event that the parties are unable to resolve any remaining disputes regarding the admissibility of

documents, they shall inform the Court and an evidentiary hearing shall be scheduled to address only those items left in dispute.

4. As to Claim No. 8, the parties hereby agree that there is no further evidence required and the Court will only consider those matters currently of record.

5. Once an evidentiary record is established, the Court shall issue a separate scheduling order establishing the briefing schedule to address any remaining matters in dispute, including but not limited to:

a. The acknowledgment of PNC Bank's obligation by the Debtor in 2022 so as to toll the applicable statute of limitations;

b. Whether or not the applicable statute of limitations was tolled during the Debtor's prior bankruptcy proceeding; and

c. Whether or not the applicable statute of limitations prohibits any collection of claims referenced Claims Nos. 6 and 8.

Dated: February 15, 2023



GREGORY J. TADDONIO, Jr.
CHIEF UNITED STATES BANKRUPTCY JUDGE

In re:
Keith A. Pierce
Debtor

Case No. 22-10434-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Feb 15, 2023

User: auto
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 17, 2023:

Recip ID	Recipient Name and Address
db	+ Keith A. Pierce, 1748 Clifford Dr., Erie, PA 16505-2806

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 17, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 15, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Maribeth Thomas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION mthomas@tuckerlaw.com, maribeth.thomas@gmail.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
Stephen H. Hutzelman	on behalf of Debtor Keith A. Pierce stephen@hh-legal.com shutzelman@ecf.inforuptcy.com;ann@hh-legal.com

TOTAL: 5